



PATENT ATTORNEY DOCKET: 46884-5470

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Hiroshi AKAHORI, et al.	) Confirmation No.: 4196
Application No.: 10/574,600	) Group Art Unit: 2884
Filed: January 25, 2007	) Examiner: David S. Baker
For: ENERGY RAY DETECTING ELEMENT	) ) )

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Alexandria, VA 22314

Sir:

## **INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants brings to the attention of the Examiner the document listed on the attached PTO Form 1449. To the best of the undersigned's knowledge, this Information Disclosure Statement ("IDS") is being filed before the issuance of a first Office Action on the merits after the filing of a Request for Continued Examination for the above-referenced application. Accordingly, Applicants do not believe that a fee is due for filing this paper.

A Chinese Office Action dated October 10, 2008 that issued in a Chinese Patent

Application and having a document cited therein is attached for the Examiner's consideration.

The cited document is listed on the attached PTO Form 1449.

Applicants respectfully request that the Examiner consider the listed document and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

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This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that the listed document is material or constitutes "Prior

Art". If it should be determined that the listed document does not constitute "Prior Art" under

the United States law, Applicants reserve the right to present to the Office the relevant facts and

law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability

of the disclosed invention over the listed document, should the document be applied against the

claims of the present application.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF

TIME in accordance with 37 C.F.R. § 1.13(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Dated: October 30, 2008

By:

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